

IN THE DISTRICT COURT OF THE UNITED STATES

for the Western District of New York

**NOVEMBER 2018 GRAND JURY
(Impaneled November 2, 2018)**

THE UNITED STATES OF AMERICA

INDICTMENT

-vs-

JAMES TIMPANARO

Violations:

Title 18, United States Code,
Sections 1038(a)(1)(A) and 401(3)
(2 Counts and Section 3147 Allegation)

COUNT 1

(Pipe Bomb Hoax)

The Grand Jury Charges That:

On or about October 27, 2018, in the Western District of New York, the defendant, **JAMES TIMPANARO**, did knowingly and intentionally engage in conduct, that is, the defendant placed a device which appeared to be pipe bomb outside the United States Postal Service building located at 2061 South Park Avenue, Buffalo, New York, with the intent to convey false and misleading information under circumstances where such information may reasonably have been believed, and which information indicated that an activity had taken place, was taking place, and would take place, that would constitute a violation of Title 18, United States Code, Section 844(f)(1), that is, an attempt to damage and destroy, by means of a fire and an explosive, any building and real property owned by, possessed by, and leased to the United States and any department and agency of the United States.

All in violation of Title 18, United States Code, Section 1038(a)(1)(A).

COUNT 2

(Contempt of Court Order)

The Grand Jury Further Charges That:

From on or about January 26, 2019, to on or about January 27, 2019, in the Western District of New York, the defendant, **JAMES TIMPANARO**, did willfully and knowingly disobey and resist a lawful order and command of a Court of the United States, that is, the order setting conditions of release issued by the Honorable H. Kenneth Schroeder, Jr., United States Magistrate Judge, on November 28, 2018, in the United States District Court for the Western District of New York, in the case of United States of America v. James Timpanaro, No. 18-mj-175, by failing to comply with the requirement that he abide by all rules and directives of the inpatient treatment program to which he was admitted as a condition of his release from custody.

All in violation of Title 18, United States Code, Section 401(3).

ALLEGATION PURSUANT TO 18 U.S.C. § 3147

The Grand Jury Alleges That:

As the defendant had been released pursuant to Chapter 207 of Title 18, United States Code, at the time of the commission of the offense alleged in Count 2 of this Indictment, which is a felony, should the defendant be convicted of Count 2 of the Indictment, the defendant is subject to the term of imprisonment prescribed in Title 18, United States Code, Section 3147 in addition to the penalties otherwise provided by law.

All pursuant to Title 18, United States Code, Section 3147.

DATED: Buffalo, New York, January 29, 2019.

JAMES P. KENNEDY, JR.
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A TRUE BILL:

S/FOREPERSON